

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CIVIL NO.: 23-3836 (DSD/ECW)

Cory Edward Fisherman,

Plaintiff,

v.

ORDER

Nathan Milender, N.P., Traci
McNamara, Director Clinical
Opp, and Marray Young, Medical
Director with Centurion, in
Official Capacities,

Defendant.

Based upon the Report and Recommendation by United States
Magistrate Judge Elizabeth Cowan Wright dated January 22, 2025
(R&R), all the files and records, and no objections having been
filed to said R&R, **IT IS HEREBY ORDERED** that:

1. The R&R [ECF No. 47] is adopted in its entirety;
2. DOC defendant McNamara's Motion to Dismiss [ECF No. 28]
is granted as follows:

- (a) The complaint is dismissed with prejudice insofar as it
seeks retrospective relief in the form of damages as to
defendant Traci McNamara in her official capacity; and
- (b) The complaint otherwise is dismissed without prejudice
as to defendant Traci McNamara;

3. Defendants Nathan Milender, Murray Young, and Centurion's Motion to Dismiss [ECF No. 34] is granted in part insofar as the complaint is dismissed without prejudice as to defendant Nathan Milender, N.P.; and

4. Defendants Nathan Milender, Murray Young, and Centurion's Motion to Dismiss [ECF No. 34] is denied as to defendant Murray Young.¹

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 12, 2025

s/David S. Doty
David S. Doty, Judge
United States District Court

¹ The court will not address the issue of mootness as to Young, as it was briefed after the R&R was filed. See ECF No. 49.